

REMARKS

The examiner considers the application to contain six separate groups of inventions (Groups I-VI) which are not so linked as to form a single general inventive concept under PCT Rule 13.1 and requires election of a single group/invention for examination on the merits.

Applicant elects Group I, presently comprising claims 1-14 and 32, drawn to a polypeptide and a pharmaceutical composition thereof, comprising one splice variant of an ErbB ligand, wherein one specific SEQ ID NO is identified from SEQ ID NOs:74-84, 93, 95-104 and 109-121. It is not clear whether the examiner is indicating that there is an additional election of a single specie from SEQ ID NOs:74-84, 93, 95-104 and 109-121, because there is no statement that an election of specie is required. Nevertheless, in case an election of specie is intended and required in response to this Office Action, applicant elects without traverse the specific sequence of SEQ ID NO:81. Furthermore, since product claims are elected, rejoinder of the process claims of Groups IV and VI pursuant to MPEP 821.04 is requested once an elected product claim is subsequently found to be allowable.

Appln. No. 10/568,806
Amd. dated May 7, 2010
Reply to Office Action of November 9, 2009

Favorable consideration and allowance are hereby
respectfully solicited.

Respectfully submitted,

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